

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DENNIS SPINA,

Plaintiff,

1:06-cv-0818 (Ross, J.)

-against-

Case 1:06-cv-00818-ARR-KAM

Document 25 Filed 06/19/2006

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DENTON JONES and CROSS COUNTRY
CAPITAL PARTNERS, LP,

**STIPULATION OF
DISMISSAL WITH
PREJUDICE**

Defendants, Interpleader
Plaintiffs, and Third-Party
Plaintiffs,

-against-

DENNIS SPINA, MARK HOTTON, and
WQN INC.,

Interpleader Defendants

-and-

MARK HOTTON,

Third-Party Defendant
-----X

Whereas, the parties hereto have resolved all claims between and among them arising from the facts and circumstances set forth herein, and have entered into a confidential settlement agreement, incorporated herein by reference, setting forth their respective duties and obligations going forward,

NOW THEREFORE, pursuant to Fed. R. Civ. P. 41(a)(2) and 41(c), this action is hereby dismissed with prejudice, each party to assume its own costs, including reasonable attorney's

fees. The parties further stipulate and agree that this Stipulation can be executed in counterparts, each of which shall be deemed an original, and that a faxed signature shall be deemed an original for purposes of this Stipulation.

Dated: New York, New York
June 19, 2006

WROBEL & SCHATZ LLP

By: _____
Philip R. Schatz (PS 6158)
1040 Avenue of the Americas, 11th Floor
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*Attorneys for Cross Country Capital
Partners LLP and Denton Jones*

SPENCE & DAVIS LLP

By: _____
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Attorney for Plaintiff
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Attorneys for Dennis Spina

WOLLMUTH MAHER & DEUTSCH LLP

By: _____
David H. Wollmuth (DW 7618)
500 Fifth Avenue
New York, NY 10110
Attorneys for WQN, INC.

MINTZ & GOLD LLC

By: _____
Steven A. Samide, Esq.
470 Park Avenue South
New York, New York 10016
Attorneys for Mark C. Hotton

SO ORDERED:

_____, USDJ

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By: 

James McKenney, Esq.

470 Park Avenue South
New York, New York 10016
Attorneys for Mark C. Hotton

(JM 6164)

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SO ORDERED:

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